

January 28, 2016

**VIA CERTIFIED MAIL**

Regional Freedom of Information Officer  
U.S. EPA, Region 7  
901 N. 5th Street  
Kansas City, KS 66101

**Re: FOIA Request - Bone Hole County Park, Desloge, Missouri**

To Whom It May Concern:

Pursuant to the Freedom of Information Act (5 USC § 552, *et. seq.*), the procedures specified in the Environmental Protection Agency's ("EPA") regulations (40 CFR § 2), Union Pacific Railroad Company ("Union Pacific") requests that EPA make available the records itemized below to the extent that they are in EPA's possession or reasonably obtainable by EPA.

In this request, the term "records" refers to all correspondence, notes, memoranda, telephone records, photographs, permits, maps, studies, data compilations, field notes, analyses, test results, transcripts, electronic transmissions, electronic documents, including "email," or any other material responsive to this request that has been memorialized in writing or other means of data recordation, including all cover letters or transmittal notes attached to such documents (including all internal correspondence, notes, memoranda, electronic transmissions or other records and those transmitted by EPA contractors and/or subcontractors). This request for "records" specifically includes all "records" currently in the possession of EPA's contractors, subcontractors, experts, or technical assistants which EPA could obtain through a similar request to such contractors, subcontractors, experts, and technical assistants.

Union Pacific requests the following:

1. Records concerning the specific location of Bone Hole County Park, located within Parcel 50 in Desloge, Missouri, where EPA plans to conduct a removal action ("Removal Site"), including parcel maps, Global Positioning System ("GPS") coordinates or other geolocation data, and photo-imagery.
2. Records providing a legal description of the Removal Site and the Big River Mine Tailings Superfund Site ("Big River Site").
3. Records concerning the location, nature, character, and ownership of any former

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- railroad right-of-way ("RROW") within the Bone Hole County Park area, the Removal Site, and the Big River Site.
4. Records concerning EPA's determination that the Doe Run Resources Corporation may be a potentially responsible party ("PRP") at the Removal Site and the Big River Site.
  5. Records concerning the former St. Joseph and Desloge Railroad, Consolidated Lead Co. Ry., or Desloge Consolidated Lead Company Railway ("Historic Lead Company Railroads"), including records of their former RROW and ownership.
  6. Records concerning sampling locations of all samples that EPA has taken at the Removal Site.
  7. Records concerning samples taken at the Removal Site and the Big River Site allegedly within former RROW, including associated GPS and geolocation data.
  8. Records supporting that the Historic Lead Company Railroads have any relation to Union Pacific.
  9. Records concerning EPA's determination that Union Pacific may be a PRP at the Removal Site or the Big River Site.
  10. Records concerning the location of Hulsey Road or Landfill Road within the Bone Hole County Park area, including the road crossing at Owl Creek.
  11. Records concerning communications between EPA and ASARCO LLC, NL Industries, Inc., St. Francois County Environmental Corporation, Anschutz Mining Corporation, BNSF Railway Company, or Delta Asphalt, Inc., concerning the Removal Site or the Big River Site and RROWs.
  12. Records concerning sampling data in RROW provided by private parties to EPA from sampling within the Removal Site, the Big River Site, or within any of the other South Eastern Missouri mine sites that are being addressed by EPA under the Comprehensive Environmental Response, Compensation, and Liability Act.

We request that the above records be made available to Union Pacific as soon as possible. Please send them to my attention at Squire Patton Boggs (US) LLP, 1801 California Street, Suite 4900, Denver, Colorado 80202. To the extent that this request requires copying costs, Union Pacific agrees in advance to pay such costs. However, Union Pacific does not agree to pay any costs to upload or add these records to the Superfund Document Management System. Union Pacific is amenable to making arrangements for an outside vendor to copy the records that you identify as responsive to this request. We are also open to and would prefer receiving the records on a disk or in other electronic format, provided that you identify the software and format for the records, that it is a software/format generally available for review of electronic records (*e.g.*, Word, WordPerfect, Excel). Union Pacific would also be happy to send you a hard drive for you to load the records to if you feel that would be the most efficient method. We would like to obtain these records in the least burdensome way for you that will enable us to obtain them quickly and efficiently.

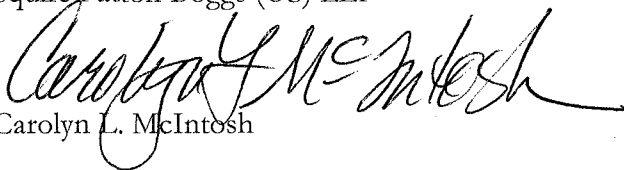
Given the limited nature of the request, Union Pacific does not agree to any extension of time for the response beyond the statutory deadlines. However, to the extent that any of the requested documents or records cannot be located, reviewed, and released within the requisite number of days, Union Pacific asks that you not delay the release of those documents or records that can be located, reviewed, and released. In addition, please review each of those documents you believe contains material that EPA may withhold. If, based on such review, you determine that only a portion of a

document is exempt from FOIA's disclosure requirements, please provide the balance of such documents to Union Pacific. Finally, Union Pacific requests that EPA provide a detailed index describing each requested document or record that EPA is not releasing pursuant to this request.

Please contact me at 303-894-6127 if you have any questions. Thank you in advance for your assistance.

Sincerely,

Squire Patton Boggs (US) LLP



Carolyn L. McIntosh